

RESOLUTION NO. 2013-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH ESTABLISHING THE TIDELANDS MANAGEMENT COMMITTEE

WHEREAS, on March 8, 2011, the City Council of the City of Newport Beach adopted Resolution No. 2011-26 establishing the City Council Committee on Tidelands Management ("Ad Hoc Committee");

WHEREAS, the City Council charged the Ad Hoc Committee with establishing a long term vision for the tidelands, including the upper bay, lower bay, bay beaches and other major components;

WHEREAS, on June 12, 2012, the City Council adopted Resolution No. 2012-44 expanding the membership of the Citizens Advisory Panel from five members to eight;

WHEREAS, on November 27, 2012, the City Council adopted Resolution No. 2012-114 extending the term of the Ad Hoc Committee to March 31, 2013; and

WHEREAS, prior to its expiration the Ad Hoc Committee completed a majority of its one-time work and the City Council sees a continuing role within the City to oversee critical tidelands aspects, such as the Tidelands Capital Plan ("TCP").

NOW, THEREFORE, the City Council of the City of Newport Beach hereby resolves as follows:

Section 1: The City Council hereby establishes the standing City Council committee referred to as the Tidelands Management Committee. The Tidelands Management Committee's purpose, membership, roles, responsibilities, and terms shall be as provided in the attached Tidelands Management Committee Sheet, which is incorporated by reference herein.

Section 2: The City Council hereby repeals all previous resolutions, or portions thereof, related to the City Council Committee on Tidelands Management that are in conflict with this resolution.

Section 3: The City Council finds this action is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

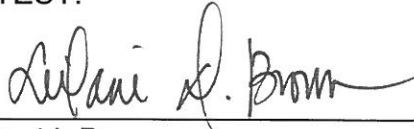
Section 4: This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

ADOPTED this 23rd Day of April, 2013



Keith D. Curry
Mayor

ATTEST:



Leilani I. Brown
City Clerk



Attachment: Tidelands Management Committee Sheet

TIDELANDS MANAGEMENT COMMITTEE

AUTHORIZATION: Established by Resolution No. 2013-35 adopted on April 23, 2013.

MEMBERSHIP: Three (3) members of the City Council, appointed by the Mayor and confirmed by the City Council. The Mayor shall appoint one (1) of the City Council Members as the chair of the Committee. With the exception of the initial appointment, appointments shall occur annually in January.

City staff support shall come from the City Manager's Office, the Harbor Resources Division, the City Attorney's Office, and other departments as needed.

TERM: Ongoing until rescinded by City Council action.

MEETINGS: Meeting shall occur at a regular time and place as called by the Chair, with the goal of meeting at least quarterly.

BROWN ACT: This Committee shall be subject to the Ralph M. Brown Act, or any successor regulation.

PURPOSE & RESPONSIBILITIES:

The Committee's purpose and responsibilities shall be as follows:

- A. Tidelands Capital Plan ("TCP"). Make recommendations to the full City Council as to the components, prioritization and implementation of the TCP.
- B. Large Tidelands Capital Needs. Make recommendations to the City Council as to large tidelands capital needs outside of the Harbor Commission's and Water Quality/Coastal Tidelands Committee's purview, such as in-harbor sea level rise-related projects.
- C. Convene a Citizens Advisory Panel ("CAP") of up to seven (7) members, one (1) of whom shall be a member of the Harbor Commission, to assist the Committee in accomplishing the Committee's purpose and responsibilities. Citizen Advisory Panel members shall serve up to two (2) two-year terms, staggered so that half of the CAP members serve for two (2) final years as new CAP members' terms begin. The CAP members are not members of this Committee and shall serve strictly in a non-voting advisory capacity at the pleasure of the Committee.
- D. Such other duties as may be assigned from time-to-time by the City Council.

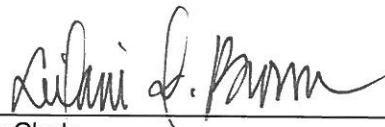
STATE OF CALIFORNIA }
COUNTY OF ORANGE }
CITY OF NEWPORT BEACH } ss.

I, Leilani I. Brown, City Clerk of the City of Newport Beach, California, do hereby certify that the whole number of members of the City Council is seven; that the foregoing resolution, being Resolution No. 2013-35 was duly and regularly introduced before and adopted by the City Council of said City at a regular meeting of said Council, duly and regularly held on the 9th day of April, 2013, and that the same was so passed and adopted by the following vote, to wit:

Ayes: Gardner, Petros, Hill, Selich, Henn, Daigle, Mayor Curry

Nays: None

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of said City this 24th day of April, 2013.



City Clerk
Newport Beach, California

(Seal)

